

ORDINANCE NO. 1653

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON DETERMINING THE FINAL COST OF THE IMPROVEMENTS IN THE KOLL/OMARK STORM DRAINAGE LOCAL IMPROVEMENT DISTRICT; APPORTIONING THE COST AMONG THE BENEFITED PROPERTIES, SPREADING THE ASSESSMENT AND DIRECTING THE ENTRY OF ASSESSMENTS IN THE LIEN DOCKET AND SETTING THE INTEREST RATE.

WHEREAS the Council Finds:

1. The Koll/Omark Storm Drainage Local Improvement District was formed and the improvements directed to be made by Ordinance No. 1581.
2. The improvements have been made in accordance with the plans and specifications contained within the final engineering report adopted by Resolution 2-1989. The report contains a proposed assessment roll.
3. Individual mailed notice of the proposed assessment for each property was mailed to each property owner on February 23, 1989. The notice advised the property owner of the opportunity to object in writing to the proposed assessment and that written objections would be considered at a public hearing. The public hearing was held on March 7, 1989.
4. No property owners filed written objections. The Council considered these objections.
5. The total final cost is the sum of \$739,123.50 and of this sum \$274,953.93 is assessed. The assessments against individual properties are as set forth in the assessment roll and each property is specifically benefited in the stated amount.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1: The final total cost of \$274,953.93 shall be assessed against the individually benefited properties as apportioned in the assessment roll entitled Final Assessment Roll for Koll/Omark Storm Drainage Local Improvement District and dated March 7, 1989.

Section 2: The Finance Director shall mail an Assessment Notice to each property owner and the notice shall state the amount of the assessment which is due immediately and that applications may be made to make installment payments. Such applications shall be reviewed by the Finance Director for eligibility. Interest to begin accruing April 1, 1989.

Section 3: The Finance Director is directed to enter each benefited property and the amount of the assessment against the property as shown on the Final Assessment Roll for Koll/Omark Storm Drainage Local Improvement District dated March 7, 1989, in the lien docket of the City separate from other prior or subsequent assessments and the same shall constitute a lien against each respective property and bear the interest rate of the net effective interest rate of the bond at the time it was sold plus a two percent charge until paid.

| | | | | |
|---|--|-------------|-------------|-----------|
| Jack W. Westfall 14897 S.E. 172nd St. Clackamas, Oregon 97015 | 1S2E31D/903 | \$ 2,209.10 | \$ 2,059.29 | \$ 149.81 |
| John Rupp (1/2) 5516 S.E. International Way Milwaukie, Oregon 97222 | 1S2E31D/1000 | \$10,856.13 | \$10,119.92 | \$ 736.21 |
| Standard Finance Ltd. Prtnrshp. 5950 Riveridge Lane Portland, Oregon 97201 | 1S2E31D/1100 | \$ 6,516.83 | \$ 6,074.90 | \$ 441.93 |
| PDC, Inc. 5209 S.E. International Wy Milwaukie, Oregon 97222 | 1S2E31CD/100 1S2E31CD/400 1S2E31CD/500 1S2E31CD/600 | \$ 9,104.63 | \$ 8,487.20 | \$ 617.43 |

Read the first time on March 7, 1989, and moved to second reading by vote of the City Council.


Read the second time and adopted by the City Council on March 7, 1989.

Signed by the Mayor on March 7, 1989.



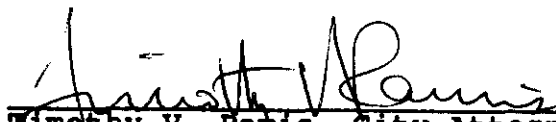
Roger A. Hall, Mayor

ATTEST:



Jerri L. Widner, City Recorder

Approved as to Form:



Timothy V. Ramis, City Attorney

Section 4: The Final Assessment Roll for Koll/Omark Storm Drainage Local Improvement District is as follows:

| <u>Owner</u> | <u>Property Description</u> | <u>Final Assessment</u> | <u>Pre-Assessment</u> | <u>Additional Assessment</u> |
|-----------------------------|-----------------------------|-------------------------|-----------------------|------------------------------|
| Lincoln Milwaukie | 1S2E31C/703 | \$ 5,043.82 | \$ 4,701.78 | \$ 342.04 |
| Bus. Ctr. Ltd. | 1S2E31C/704 | 6,329.50 | 5,900.27 | 429.23 |
| 4287 SE International Way#A | 1S2E31C/707 | 8,208.57 | 7,651.91 | 556.66 |
| Milwaukie, Oregon 97222 | 1S2E31C/708 | 8,159.12 | 7,605.81 | 553.31 |
| | 1S2E31C/709 | 10,235.99 | 9,541.84 | 694.15 |
| | 1S2E31C/712 | 17,158.89 | 15,995.26 | 1,163.63 |
| | 1S2E31C/714 | 29,817.89 | 27,795.80 | 2,022.09 |
| | 1S2E31C/718 | 12,856.80 | 11,984.92 | 871.88 |
| | Totals | \$97,810.58 | \$91,177.59 | \$6,632.99 |
| BPM Associates | 1S2E31C/720 | \$ 7,170.14 | \$ 6,683.90 | \$ 486.24 |
| 610 S.W. Alder St. | 1S2E31C/721 | 15,972.11 | 14,888.96 | 1,083.15 |
| Suite 1221 | 1S2E31C/722 | 19,779.70 | 18,438.34 | 1,341.36 |
| Portland, Oregon 97205 | 1S2E31C/723 | 13,005.15 | 12,123.21 | 881.94 |
| | Totals | \$55,927.10 | \$52,134.41 | \$ 3,792.69 |
| Omark Properties, Inc. | 1S2E31C/100 | \$47,779.59 | \$44,539.43 | \$ 3,240.16 |
| 4909 SE International Way | 1S2E31C/100A1 | | | |
| Milwaukie, Oregon 97222 | 1S2E31CD/300 | | | |
| Omark Industries, Inc. | 1S2E31C/701 | \$ 8,063.20 | \$ 7,516.40 | \$ 546.80 |
| 4909 SE International Way | 1S2E31D/700 | | | |
| Milwaukie, Oregon 97222 | 1S2E31D/800 | | | |
| | 1S2E31D/803 | | | |
| Omark Investors | 1S2E31D/801 | \$ 5,806.77 | \$ 5,412.98 | \$ 393.79 |
| 921 S.W. Washington St. | | | | |
| Portland, Oregon 97205 | | | | |
| Leo A. Graham | 1S2E31D/802 | \$23,085.05 | \$21,519.54 | \$ 1,565.51 |
| POB 560 | 1S2E31D/805 | | | |
| Forest Grove, Or 97116 | 1S2E31D/806 | | | |
| Sta-Rite Industries, Inc. | 1S2E31D/804 | \$ 3,518.77 | \$ 3,280.15 | \$ 238.62 |
| 3055 Research Dr. | | | | |
| Suite 100 | | | | |
| Richmond, Ca 94806 | | | | |
| William C. Danner (1/2) | 1S2E31CD/101 | \$ 2,303.77 | \$ 2,147.54 | \$ 156.23 |
| 15203 SE River Forest Dr. | 1S2E31D/901 | | | |
| Milwaukie, Oregon 97222 | | | | |
| GMG Investments | 1S2E31D/902 | \$ 1,972.41 | \$ 1,838.65 | \$ 133.76 |
| 5226 S.E. International Way | | | | |
| Milwaukie, Oregon 97222 | | | | |